

## Agricultural Marketing Service, USDA

## § 967.136

### GENERAL

#### § 967.100 Communications.

Unless otherwise provided in the marketing agreement and order, or by specific direction of the committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order shall be addressed to the Florida Celery Committee, 4401 East Colonial Drive, Post Office Box 20067, at Orlando, Fla.

### DEFINITIONS

#### § 967.110 Order.

*Order* means Order No. 967 (§§ 967.1–967.60) regulating the handling of celery grown in Florida.

#### § 967.111 Marketing Agreement.

*Marketing Agreement* means Marketing Agreement No. 149.

#### § 967.112 Terms.

Except as otherwise provided herein, terms used in this subpart shall have the same meaning as when used in the marketing agreement and order.

### INTERPRETATIVE RULES

#### § 967.130 Producer.

(a) *Producer* shall be deemed to include any person: (1) Who or which owns and farms land resulting in his or its ownership of the celery produced thereon; (2) who or which rents and farms land, resulting in his or its ownership of all or a portion of the celery produced thereon; or (3) who or which owns land which he or it does not farm and, as rental for such land, obtains the ownership of a portion of the celery produced thereon; or (4) who or which has celery produced on his or its behalf which results in his or its ownership of the celery so produced.

(b) The term *producer* is defined in § 967.6 as being any person engaged in a proprietary capacity in the production of celery (as defined in § 967.4). The term *person* is construed to mean the business unit which produces celery for market. The term producer shall be limited to those who have an ownership in celery produced in the production area.

(c) The term *partnership* shall be deemed to include a husband and wife with respect to land, the title to which, or leasehold interest in which, is vested in them as tenants in common, joint tenants, or tenants by entirety, or, under community property laws, as community property. The term “partnership” shall also be deemed to include two or more persons which join together by agreement, informal or otherwise, for the purpose of producing celery and which, as a unit, has ownership of such celery. The term “partnership” shall also include so-called “joint ventures,” wherein one or more parties to the arrangement contribute capital and others contribute labor, management, equipment, or other services, or any variation of such contributions by two or more parties, so that it results in the production of celery for market and ownership thereof by such joint venture.

[30 FR 15416, Dec. 15, 1965, as amended at 43 FR 15609, Apr. 14, 1978]

#### § 967.135 Reestablishment of committee.

Pursuant to § 967.25(b), the Florida Celery Committee is reestablished to consist of 12 members, including eleven producer or handler members and one public member.

[48 FR 21532, May 13, 1983]

#### § 967.136 Reapportionment of committee membership.

Pursuant to § 967.27(g), industry membership on the Florida Celery Committee shall be reapportioned among groups as follows:

(a) Group 1—Two members and their alternates.

(b) Group 2—Two members and their alternates.

(c) Group 3—Two members and their alternates.

(d) Group 4—Two members and their alternates.

(e) Group 5—Three members and their alternates.

[48 FR 21532, May 13, 1983]